United Nations A/53/499

General Assembly

Distr.: General
15 October 1998

Original: English

Fifty-third session
Agenda item 9
General debate

Letter dated 14 October 1998 from the Permanent Representative of Eritrea to the United Nations addressed to the Secretary-General

I have the honour to hereby submit my statement in writing, as I indicated in my oral statement on 2 October 1998, in exercise of the right of reply to the statement made by the representative of Ethiopia in the afternoon session of the general debate in the Plenary on the same date.

I should be grateful if you would kindly circulate this letter and its annex as a document of the fifty-third session of the General Assembly under item entitled "General debate".

(*Signed*) Haile **Menkerios**
Ambassador
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Annex

Statement of Ambassador Haile Menkerios, Permanent Representative of Eritrea to the United Nations in exercise of the right of reply to the statement made by the representative of Ethiopia on 2 October 1998

I have no intention of dignifying the baseless allegations and outright fabrications peddled by the Representative of Ethiopia by responding to the deluge of falsehoods presented in his reply statement point by point. Let me only refer to the Amharic proverb which informs that the truth and daylight become clearer by the hour. Happily for Eritrea, the truth is becoming well known to the international community and the United Nations family not only as to the real facts of aggression but also as to Eritrea's and Ethiopia's respective attitudes and positions towards transparency and an open-door policy. But, for better clarification of the facts, let me briefly touch on the issues of aggression, peaceful settlement of the conflict, and violations of human rights.

First, the statements made by my Foreign Minister are all supported by verifiable third party documentation, providing compelling evidence and overwhelming proof of the Government of Ethiopia's aggression (which, by definition, is committed by the violation of internationally recognized borders). No amount of perversion of the truth and diplomatic subterfuges can camouflage Ethiopia's blatant violation of Eritrean sovereignty. It is also a fact that Ethiopia has continuously refused to identify on a map what part of Eritrean territory it is claiming, or what part of its territory Eritrea is supposed to have occupied. This request was once again repeated by my Foreign Minister in his statement yesterday. Hell will freeze over before Ethiopia submits such evidence, because doing so will only expose its aggression and lies.

It was stated in the presentation of my Minister of Foreign Affairs yesterday that the dispute with Ethiopia is about borders and the violation of these borders by Ethiopia, nothing more and nothing less. It is not linked to the differences regarding trade between the two countries. It is not about mineral deposits in the disputed area and definitely not about aggression as Ethiopia claims. It is not about Eritrea trying to impose its will on Ethiopia. On the contrary, it is about the present Ethiopian regime's expansionism and the willful violation of the non-controversial and clearly defined internationally recognized boundaries between the two countries. Indeed, these boundaries are probably some of the most meticulously defined African borders, and the villages of Adi Murug, Badme and Alitena which were forcibly usurped by Ethiopia are well inside Eritrean territory. Ethiopian occupation of these villages spread along the Eritrea-Ethiopia border and their environs was therefore nothing short of a blatant violation of the Charters of the United Nations and the Organization of African Unity (OAU) and resolution AHG/RES 16(1) of the First Assembly of African Heads of State and Government held at Cairo in 1964, which sanctified respect for colonial borders in Africa. This, in fact, is aggression as defined by the United Nations in General Assembly resolution 3314 (XXIX) of 14 December 1974.

Ethiopian authorities unabashedly declare that Badme and the other areas along the border they forcibly occupied have never been part of Eritrea, either during the Italian period of colonization or since. This awkward falsehood can easily be contradicted by any map of Eritrea from Italian colonial times to the present, including those that were produced by the Governments of both Emperor Haile-Selassie and Colonel Mengistu Haile-Mariam, and by the United Nations before it created the ill-fated Ethiopian-Eritrean Federation. It is also confirmed by none other than the Ethiopian geographer and chairman of the Ethiopian

Human Rights Council who has unequivocally stated that Badme and its environs, for instance, have always been part of the Italian colony of Eritrea.

True, although Eritrea's boundaries were clearly defined by internationally recognized colonial treaties which are confirmed by the United Nations, delimitation was not followed by full demarcation. Indeed, to date, only Ethiopia's borders with British Somaliland (1930) and Kenya (1965) have been fully demarcated. The boundary with the Sudan is only partially demarcated.

Yet, the absence of demarcation has hitherto not erased the validity of treaties and agreements or caused the forfeiture of rights by one or the freedom to transgress by another. It only imposes on both the duty to demarcate. Needless to say, it is in spite of the absence of demarcation that Ethiopia itself had, on several occasions, including during the famous Walwal crises of 1934 and the protracted Ogaden conflict which lasted from the 1960s to the 1980s, consistently applied the principle of territorial integrity based on the principle of pacta sunt servanda. Concerning this issue, Bahru Zewde, an Ethiopian scholar states:

> "The Walwal incident (5 December 1934), so called after a frontier post on Ethiopia's border with Italian Somaliland, was a product of ill-demarcated or undemarcated boundaries that Ethiopia had come to acquire after and as a result of Adwa. Although Walwal had fallen within the Ethiopian side of the boundary with Italian Somaliland, the Italians had profited from lax Ethiopian administrative control to take hold of the place which was valued for its wells. Stronger Ethiopian presence in the region in the 1930s inevitably resulted in the reassertion of Ethiopian right to the area. Italian refusal to yield and harassment of Ethiopian troops stationed nearby produced the clash that became historically notable."

Surely, history repeats itself in strange and astonishing ways.

If Ethiopia were to persist in the pursuit of this most dangerous policy of claiming land in undemarcated border areas, then it becomes eminently clear that it is determined to usher in a new era of conflict and instability in the Horn of Africa. It is obvious that it will no longer be wise to be Ethiopia's neighbour. Today, it is Eritrea; whose turn will it be tomorrow since only the Ethiopia-Kenyan border is demarcated?

It is also obvious that it will set a very dangerous precedent for the rest of Africa if its present action were not to be checked by Africa's collective reaffirmation of the validity of the Cairo resolution, the precedents incorporated in the various OAU decisions on border disputes between African States and indeed articles II (1c) and III (3 and 4) of the OAU Charter.

Second, as to who is for a peaceful solution and who is for the use of force, we do not need to argue much. The record is clear. Eritrea did indeed defend its sovereign territory, as it is its right and duty to do so, from Ethiopian aggression, but has continued to call for a peaceful and legal settlement of any Ethiopian claims. When clashes erupted, it proposed an immediate and unconditional ceasefire, the demilitarization of the entire border between the two countries, the placement of neutral monitors in the demilitarized area, and the demarcation of the entire border on the basis of respect for boundaries established during the colonial period. On the contrary, Ethiopia has frozen on its ultimatum that either Eritrea unilaterally and unconditionally withdraws from all its territories which Ethiopia claims or Ethiopia will make it do so by force. To this end, Ethiopia declared war on Eritrea and attacked it on all fronts throughout the common border and by air in June 1998. It has continued to this day to threaten to unleash the might of Ethiopia on an unprecedented scale unless its ultimatum is met. At this very moment, as the OAU team of heads of State is inviting the leaders of both countries to Ouagadougou to hear its proposals for a peaceful

solution, Ethiopia's leaders are declaring the completion of their preparations for an all-out war, not only to capture Eritrean lands they claim as theirs, but also "to teach Eritrea a lesson it will never forget". Thus, we ask, who is for peaceful settlement and who is dead set on the use of force? The answer is clear, the records speak for themselves, and no volume of repetitive subterfuge here, or elsewhere, can change the facts.

Third, concerning human rights, it is a matter of public knowledge that Ethiopia has systematically violated the rights of Eritreans and Ethiopians of Eritrean origin living in Ethiopia. This has been verified and documented by several United Nations teams, emissaries of the European Union, Amnesty International and the International Committee of the Red Cross. On the other hand, there is not a single report by the international community regarding Eritrean violation of the rights, human or otherwise, of Ethiopians living in Eritrea. On the contrary, several delegations including the OAU delegation of ambassadors, the heads of missions of the European Union at Asmara and Amnesty International, as well as several members of the media, have refuted all allegations by the Ethiopian Government concerning violations by Eritrea of the rights of Ethiopians living in Eritrea. The Eritrean Government has, on several occasions, transmitted these documents to Member States. The human rights record of both countries as documented by, *inter alia*, Human Rights Watch, Amnesty International and the Department of State of the United States of America are also there for the checking.

Finally, the truth can be verified by one simple method – an on-the-spot verification of the real aggressor or the human rights situation in both Eritrea and Ethiopia. Eritrea is, of course, awaiting to receive the delegation of the Commission on Human Rights and has on every occasion committed itself to the resolution of the dispute by mediation. On the other hand, Ethiopia has refused to allow the deployment of observers from the Commission on Human Rights to monitor and verify its record, and is threatening war.